

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 5835
Democratic Congressional Campaign)
Committee and Brian Wolff, in his)
official capacity as treasurer)

CERTIFICATION

I, Darlene Harris, recording secretary of the Federal Election Commission executive session, do hereby certify that on February 10, 2009, the Commission took the following actions in the above-captioned matter:

1. Failed by a vote of 2-3 to pass a motion to:

- a) Find probable cause to believe that the Democratic Congressional Campaign Committee and Brian Wolff, in his official capacity as treasurer, violated 2 U.S.C. § 441d.
- b) Approve the proposed conciliation agreement, as recommended in General Counsel's Report #3 dated December 19, 2008.
- c) Approve the appropriate letter.

Commissioners Bauerly and Walther voted affirmatively for the motion.

Commissioners Hunter, McGahn II and Petersen dissented. Commissioner

Weintraub recused herself with respect to MUR 5835 and did not vote.

2. Failed by a vote of 3-2 to pass a motion to:

Take no further action with respect to MUR 5835.

Commissioners Hunter, McGahn II and Petersen voted affirmatively for the motion. Commissioners Bauerly and Walther dissented. Commissioner Weintraub recused herself with respect to MUR 5835 and did not vote.

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3. Decided by a vote of 5-0 to:
Close the file in MUR 5835.

Commissioners Bauerly, Hunter, McGahn II, Petersen and Walther voted affirmatively for the decision. Commissioner Weintraub recused herself with respect to MUR 5835 and did not vote.

Attest:

February 11, 2009
Date

Darlene Harris
Darlene Harris
Deputy Secretary of the Commission

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